



Arizona Department of
Public Safety

Case # 2018-063872

Case Report

Details

Case #	Date/Time	Location
2018-063872	12/19/2018 23:23	County: MARICOPA
Originating Document Number	910884418354001	Highway: SR202
Case Agent: WILLIAMS, CHRISTIAN #10477		Milepost: 17.0
		Alternate Location

Case Class: DUI

Photos Submitted: NO Arrest Recorded: NO

Suspect List

Offender #	01			
Suspect:	Name - Last	First	Middle	Suffix
	COOK	DAVID	LEE	
Birth Date:				
Driver's License:	D03264036	State:	AZ	
Social Security:				
Race:	W	Height:	6' 00"	Hair Color: BLK
Gender:	M	Weight:	240 LBS	Eye Color: BRO
Addresses:				
Home:				
Work:				

Charge(s)

Offender #	01	COOK, DAVID
A.R.S. Statute:	28-1381A1	DUI-LIQUOR/DRUGS/VAPORS/COMBO
Warrant # SIN/NIC:		
ORI/Case:		
Issuing Court:		Issuing Judge:
Bond Amount:		Disposition:

Offender # 01 **COOK, DAVID**
A.R.S. Statute: 28-1381A2 **DUI W/BAC OF .08 OR MORE**
Warrant # SIN/NIC:
ORI/Case:
Issuing Court: **Issuing Judge:**
Bond Amount: **Disposition:**

Offender # 01 **COOK, DAVID**
A.R.S. Statute: 28-1382A1 **EXTREME DUI-BAC .15 TO .19**
Warrant # SIN/NIC:
ORI/Case:
Issuing Court: **Issuing Judge:**
Bond Amount: **Disposition:**

Involved Vehicle(s)

License Plate: **State:** **Year:** **Make:** **Model:** **Color:**
CK89257 AZ 2017 FORD F22 WHITE
Vin:
1FT7W2BT4HEE71857
Seized: NO

General Report

Author: WILLIAMS, CHRISTIAN

AT APPROXIMATELY 2322 HOURS, I, TROOPER WILLIAMS, #10477, OBSERVED A WHITE FORD PICKUP TRUCK BEARING ARIZONA LICENSE PLATE CK89257, TRAVELING EASTBOUND ON STATE ROUTE 202 IN THE NUMBER FOUR LANE AT APPROXIMATELY MILE POST 17. THE VEHICLE CAUGHT MY ATTENTION BY DRIVING OUT OF ITS LANE WITH BOTH RIGHT SIDE TIRES IN THE RIGHT SHOULDER. AS I CONTINUED OBSERVATION, THE VEHICLE SLOWLY DRIFTED BACK INTO ITS LANE AND THEN CONTINUED TO DRIFT TO THE LEFT UNTIL BOTH LEFT SIDE TIRES CROSSED INTO THE NUMBER THREE LANE. HE CONTINUED TO DRIVE PARTIALLY IN THE NUMBER THREE LANE FOR APPROXIMATELY 100 YARDS. HE BEGAN A SLOW DRIFT TO THE RIGHT SIDE UNTIL BOTH RIGHT-SIDE TIRES BEGAN CROSSING ONTO THE RIGHT SHOULDER. THE DRIVER CORRECTED HIS ACTION AND MANEUVERED HIS VEHICLE BACK INTO THE NUMBER FOUR LANE. AS I GOT CLOSE ENOUGH TO READ THE LICENSE PLATE, THE VEHICLE DRIFTED TO THE LEFT, DRIVING ON THE LANE DIVIDER LINE, HITTING THE ROAD BRAIL FOR APPROXIMATELY 50 YARDS. THE VEHICLE WENT BACK INTO ITS LANE AND DRIFTED LEFT, CROSSING THE LANE DIVIDER LINE A SECOND TIME AT WHICH POINT I INITIATED THE TRAFFIC STOP BY ACTIVATING MY EMERGENCY LIGHTS.

DRIVER CONTACT:

UPON CONTACTING THE VEHICLE ON THE PASSENGER SIDE, I IMMEDIATELY DETECTED THE STRONG ODOR OF AN ALCOHOLIC BEVERAGE EMANATING FROM THE VEHICLE. I INTRODUCED MYSELF AS, TROOPER WILLIAMS WITH THE ARIZONA HIGHWAY PATROL, AND INFORMED THE DRIVER OF THE REASON FOR THE TRAFFIC STOP. AT THAT TIME, I OBSERVED THE DRIVER TO HAVE BLOODSHOT AND WATERY EYES. PRIOR TO BEING ABLE TO COMPLETE EXPLAINING THE REASON FOR THE TRAFFIC STOP, THE DRIVER INTERRUPTED ME AND INFORMED ME THAT HE DROPPED HIS CELL PHONE AND WAS TRYING TO PICK IT UP AND THAT WAS THE REASON FOR THE DRIVING BEHAVIOR. THE DRIVER'S SPEECH WAS SLOW AND SLURRED AS HE EXPLAINED HIS ACCOUNT OF WHAT CAUSED HIS DRIVING BEHAVIOR. HE BEGAN ATTEMPTING TO PICK UP HIS CELL PHONE THAT WAS ON THE FLOOR BOARD OF THE DRIVERS SEATING AREA. WHILE THE DRIVER DID THIS, I WAS ABLE TO OBSERVE THE DRIVER TO HAVE DECREASED MOTOR SKILLS BY NOT BEING ABLE TO PICK UP PHONE AFTER SEVERAL ATTEMPTS. I ASKED THE DRIVER TO PROVIDE ME HIS LICENSE, REGISTRATION, AND PROOF OF INSURANCE. THE DRIVER HANDED ME HIS REGISTRATION AND INSURANCE CARD FOLLOWED BY HIS ARIZONA HOUSE OF REPRESENTATIVES IDENTIFICATION CARD. I ASKED THE DRIVER A SECOND TIME TO SEE HIS DRIVER'S LICENSE, WHICH HE DID. I WAS THEN ABLE TO IDENTIFY THE DRIVER AS COOK, DAVID, DATE OF BIRTH 05/15/1968 BY HIS VALID ARIZONA COMMERCIAL DRIVER'S LICENSE. I RETURNED TO MY VEHICLE TO CONDUCT A RECORD CHECK OF COOK'S LICENSE. WHEN I RETURNED TO COOK'S VEHICLE I ASKED HIM TO STEP OUT OF HIS VEHICLE, AT WHICH POINT HE TOLD ME, "NO, IM NOT GETTING OUT". HE STATED HE WAS JUST GETTING HIS PHONE THAT HE DROPPED AND THERE WASN'T ANY NEED FOR THIS. I TOLD HIM THAT I NEEDED HIM TO STEP OUT OF HIS VEHICLE SO I COULD ENSURE THAT HE WAS TELLING ME THE TRUTH, AND THAT HE WAS SAFE TO DRIVE. HE STATED, "DO YOU KNOW WHAT YOU'RE DOING SON? YOU'RE MAKING A MISTAKE". HE THEN STATED, "WHAT DO YOU WANT ME TO DO?". I REQUESTED HE STEP OUT OF HIS VEHICLE AND MEET ME AT THE BACK OF HIS TRUCK A SECOND TIME. COOK ASKED IF IT WAS SAFE. I STATED, "YES", AND HE EXITED HIS TRUCK. AS HE EXITED HIS TRUCK AND BEGAN WALKING TOWARDS THE BACK OF HIS TRUCK, HE STAGGERED AND USED THE SIDE OF HIS TRUCK TO BALANCE HIMSELF ONE TIME AS HE WALKED TO MEET ME.

STANDARDIZED FIELD SOBRIETY TESTS:

ONCE AT THE REAR OF HIS VEHICLE, I ASKED COOK IF HE WOULD BE WILLING TO CONSENT TO STANDARDIZED FIELD SOBRIETY TESTS TO ENSURE THAT HE WAS SAFE TO DRIVE. COOK STATED, "NO, I'M NOT GOING TO DO THAT". I INFORMED COOK THAT I COULD SMELL THE ODOR OF AN ALCOHOLIC BEVERAGE WHILE HE WAS IN HIS VEHICLE. I ALSO INFORMED COOK I COULD SMELL THE ALCOHOLIC BEVERAGE COMING FROM HIS PERSON. I INFORMED HIM HE HAD SLURRED SPEECH, BLOODSHOT WATERY EYES AS WELL AS DECREASED MOTOR SKILLS. I NOTIFIED COOK THAT IF HE WAS UNWILLING TO CONSENT TO, AND CONDUCT, THE STANDARDIZED FIELD SOBRIETY TESTS, I WAS GOING TO TAKE HIM DOWN TO THE JAIL TO CONDUCT OTHER TESTS. COOK STATED, "WHY DO WE NEED TO DO THAT" AND, "FINE WHAT DO YOU WANT ME TO DO?". COOK WAS UNCOMPLIANT WHEN ATTEMPTING TO ADMINISTER FIELD SOBRIETY TESTING.

TROOPER WILLIAMS HORIZONTAL GAZE NYSTAGMUS:

I ATTEMPTED TO PLACE COOK INTO THE REQUIRED POSITION TO CONDUCT THE HORIZONTAL GAZE NYSTAGMUS TEST, HOWEVER HE REFUSED TO FOLLOW THE INSTRUCTIONS AS PROVIDED, KEEPING HIS FEET SHOULDER WIDTH APART, AND LEAVING HIS ARMS AT A RESTING HANG INSTEAD OF AFFIXED ALONG THE SIDE OF HIS PANTS, AS INSTRUCTED. AS I INFORMED COOK HE NEEDED TO GET INTO THE POSITION AS I WAS DEMONSTRATING AND EXPLAINING, COOK STATED, "THIS IS AS GOOD AS ITS GOING TO GET". I RE-INSTRUCTED COOK ON THE INSTRUCTIONS FOR THE TESTING POSITION. COOK THEN PLACED HIS HEELS TOGETHER KEEPING HIS TOES AT A WIDE ANGLE. I FURTHER STATED THAT HE NEEDED TO PLACE HIS TOES TOGETHER AS WELL AS HIS HEELS. COOK BROUGHT HIS TOES IN A FEW INCHES, STILL NOT FULLY ACQUIRING THE INTENDED POSITION FOR THE TEST. I BEGAN TO HOLD MY PEN AND FLASHLIGHT TO ATTEMPT FOR COOK TO AFFIX HIS EYES TO THE PEN AS INSTRUCTED. COOK WOULD NOT LOOK AT THE PEN, RATHER HE WAS JUST STARING ME IN THE EYES. I INSTRUCTED COOK TO LOOK AT MY PEN FOR A SECOND TIME AS HE CONTINUED TO IGNORE THE INSTRUCTIONS AND LOOK AT ME. I TRIED A THIRD TIME, BUT AS I BEGAN TO EXPLAIN THE INSTRUCTIONS, COOK COMPLETELY CAME OUT OF THE POSITION AND BEGAN TO TELL ME HE HAD BEEN HIT ON THE RIGHT SIDE OF HIS FACE ABOVE HIS RIGHT EYE TWO WEEKS PRIOR. I TOLD COOK TO GET BACK INTO THE INSTRUCTED POSITION SO I COULD CONTINUE WITH THE TEST. HE DID NOT, RATHER HE CONTINUED TO TELL THE STORY OF THE INJURY THAT OCCURRED TO THE SIDE OF HIS HEAD. I CONCLUDED ATTEMPTING TO PERFORM THE TEST AND CALLED FOR TROOPER BRIAN HOUCHEMS, #7537, TO RESPOND TO MY SCENE, AS HE WAS MY ACTING SUPERVISOR AT THE TIME OF THIS INVESTIGATION. COOK STATED HE WANTED MY SERGEANT TO RESPOND TO THE SCENE. I TOLD HIM THAT WAS NOT GOING TO HAPPEN, BUT I HAD ANOTHER TROOPER RESPONDING THAT WAS MY ACTING SUPERVISOR. TROOPER DARIUS WINDELS, #10347, ARRIVED ON SCENE AT APPROXIMATELY 2346 HOURS, AT WHICH POINT COOK IMMEDIATELY BEGAN TO WALK TOWARDS HIM TO GREET HIM. TROOPER WINDELS INFORMED COOK THAT IT WAS MY SCENE AND TO NOT WORRY ABOUT HIM. WITH ANOTHER TROOPER ON SCENE, I ATTEMPTED FOR A SECOND TIME TO CONDUCT THE HGN TEST. AS I WAS ATTEMPTING TO GET COOK INTO THE INSTRUCTED POSITION AND TO AFFIX HIS EYES TO MY PEN, HE BEGAN TO COMPLAIN ABOUT MY LIGHT, STATING THAT IT WAS TOO BRIGHT. COOK WOULD NOT PERFORM THE TEST AS INSTRUCTED SO I MOVED ON TO THE WALK AND TURN TEST.

TROOPER WILLIAMS WALK AND TURN:

I ASKED COOK IF HE HAD ANY PHYSICAL DISABILITIES OR INJURIES THAT WOULD RENDER HIM UNABLE TO WALK OR BALANCE. COOK REFERENCED HIS RECENT HEAD INJURY THAT OCCURRED TWO WEEKS AGO. I BEGAN THE TEST BY PROVIDING ALL INSTRUCTIONS VERBATIM FROM THE DPS ALCOHOL INFLUENCE REPORT. AS I WAS GIVING THE INSTRUCTIONS AND ATTEMPTING TO PLACE COOK IN THE INSTRUCTED POSITION, HE ATTEMPTED IT WITH HIS LEFT FOOT IN FRONT OF HIS RIGHT INSTEAD OF THE INSTRUCTED MANOR OF RIGHT FOOT IN FRONT OF LEFT. COOK HAD TO BE RE-INSTRUCTED TO SWITCH HIS FEET TO THE CORRECT STARTING POSITION SIX TIMES. ONCE IN THE CORRECT STARTING POSITION WITH HIS FEET, COOK SWAYED AND USED HIS ARMS TO BALANCE BEFORE TAKING HIS RIGHT FOOT OUT OF THE INSTRUCTED POSITION TO BRACE HIMSELF TO PREVENT FROM FALLING OVER. COOK THEN STOOD WITH FEET SHOULDER WIDTH APART AND PLACED HIS HANDS IN HIS POCKETS. COOK WAS ONCE AGAIN INSTRUCTED TO RETURN TO THE DEMONSTRATED POSITION AT WHICH POINT HE STATED HE WANTED TO SEE ME DO THE WHOLE TEST FIRST. I EXPLAINED TO COOK HE NEEDED TO REMAIN IN THE POSITION THAT I HAD INSTRUCTED, AND I WOULD DEMONSTRATE THE TEST. COOK BEGAN ATTEMPTING TO REGAIN THE INSTRUCTED POSITION, HOWEVER HE BEGAN PLACING HIS LEFT FOOT FORWARD, OPPOSITE OF WHAT WAS INSTRUCTED AND DEMONSTRATED. I ATTEMPTED TO CORRECT COOK AGAIN ON HIS POSITION, AT WHICH POINT COOK CAME OUT OF THE POSITION COMPLETELY, BECAME ARGUMENTATIVE, AND BEGAN TO RAISE HIS VOICE. TROOPER HOUCHEMS, WHO HAD ARRIVED ON SCENE, BUT WAS STANDING OFF TO THE SIDE AS I ATTEMPTED THE FIELD SOBRIETY TESTS, OBSERVED COOK'S BEHAVIOR AND WALKED OVER TO THE SCENE TO ASSIST WITH THE INVESTIGATION.

TROOPER HOUCHEMS STANDARDIZED FIELD SOBRIETY TESTS:

TROOPER HOUCHEMS BEGAN SPEAKING WITH COOK ATTEMPTING TO CALM HIM DOWN. TROOPER HOUCHEMS WAS SUCCESSFUL IN CALMING COOK DOWN, ALTHOUGH COOK CONTINUED TO BE UNCOOPERATIVE. TROOPER HOUCHEMS WAS ABLE TO GET COOK TO CONTINUE PERFORMING STANDARDIZED FIELD SOBRIETY TESTS. TROOPER HOUCHEMS OBSERVED SEVEN OUT OF EIGHT CLUES ON THE WALK AND TURN TEST, AND FOUR OUT OF SIX CLUES ON THE HORIZONTAL GAZE NYSTAGMUS TEST. TROOPER HOUCHEMS INFORMED COOK HE WAS UNDER ARREST FOR DRIVING UNDER THE INFLUENCE AND TOOK HIM INTO CUSTODY AT APPROXIMATELY 0020 HOURS.

(SEE TROOPER HOUCHEMS ATTACHED SUPPLEMENT AND ALCOHOL INFLUENCE SHEET)

ARREST AND MIRANDA:

AT APPROXIMATELY 0020 HOURS, COOK WAS INFORMED HE WAS UNDER ARREST FOR DRIVING UNDER THE INFLUENCE AND TAKEN INTO CUSTODY. AT APPROXIMATELY 0027 HOURS, I READ COOK HIS MIRANDA RIGHTS VERBATIM FROM THE DEPARTMENT PROVIDED MIRANDA RIGHTS CARD. WHEN ASKED IF HE UNDERSTOOD HIS RIGHTS, HE VERBALLY STATED, "YES", AND FURTHER STATED HE WISHED TO SPEAK WITH AN ATTORNEY.

VEHICLE DISPOSITION:

AT APPROXIMATELY 0049 HOURS, COOK'S VEHICLE, A WHITE 2017 FORD F-250, WAS TOWED BY FIRST CLASS AUTOMOTIVE TRANSPORT. THE VEHICLE WAS IMPOUNDED FOR 30 DAYS PURSUANT TO ARS 28-3511.

(SEE ATTACHED AZ DPS VEHICLE REMOVAL REPORT)

FURTHER PROCESSING:

AT APPROXIMATELY 0040 HOURS, COOK WAS TRANSPORTED TO THE DPS KNUTSON STATION (KS). AT APPROXIMATELY 0105 HOURS, I ARRIVED AT KS WITH COOK IN CUSTODY. WHILE ASSISTING COOK OUT OF THE REAR OF MY PATROL VEHICLE, I STATED TO COOK TO

WATCH HIS HEAD AS HE STOOD UP TO EXIT MY PATROL UNIT. COOK STATED, "I'M FINE, DON'T WORRY, YOU'LL GET YOURS".
ATTORNEY CONTACT:

COOK WAS PROVIDED 20 MINUTES FROM APPROXIMATELY 0112 HOURS TO APPROXIMATELY 0122 HOURS, TO CONTACT LEGAL COUNSEL. COOK WAS PROVIDED A PRIVATE ROOM, A CURRENT PHONE BOOK, A LAND LINE, AS WELL AS HIS CELL PHONE. COOK TERMINATED HIS TIME TWO MINUTES EARLY STATING THAT HE WAS FINISHED.

ADMIN PER SE / IMPLIED CONSENT AFFIDAVIT:

AT APPROXIMATELY 0127 HOURS, COOK WAS READ THE ADMONITIONS VERBATIM FROM THE ADMIN PER SE / IMPLIED CONSENT AFFIDAVIT. WHEN ASKED IF HE WOULD CONSENT TO TESTS, COOK STATED HE WOULD NOT CONSENT TO ANY FORM OF TESTING. COOK WAS THEN READ THE FOLLOW UP ADMONITIONS VERBATIM. AS I BEGAN READING THE FOLLOW ADMONITIONS, COOK STATED HE DID NOT KNOW WHAT I WAS TALKING ABOUT. HE FURTHER STATED HE WAS NOT LISTENING COMPLETELY. I RE-READ THE ADMIN PER SE AT WHICH POINT HE VERBALLY STATED, YES, HE WOULD CONSENT TO TESTING.

(SEE ATTACHED ADMIN PER SE / IMPLIED CONSENT AFFIDAVIT)

INTOXILYZER 8000:

COOK UNDERWENT A DEPRIVATION PERIOD WHILE UNDER MY SUPERVISION FROM APPROXIMATELY 0128 HOURS TO APPROXIMATELY 0143 HOURS. COOK'S BRAC RESULTS WERE 0.158 AT 0148 HOURS AND 0.152 AT 0155 HOURS.

(SEE ATTACHED INTOXILYZER 8000 PRINTOUT)

INDEPENDENT TEST ADVISORY:

AT APPROXIMATELY 0200 HOURS, COOK WAS READ THE INDEPENDENT TEST ADVISORY IN ITS ENTIRETY. HE STATED HE UNDERSTOOD AND REFUSED TO THE DOCUMENT.

(SEE ATTACHED INDEPENDENT TEST ADVISORY / RELEASE OF ARRESTED PERSON REPORT)

ORDER OF SUSPENSION:

COOK WAS SERVED AN ORDER OF SUSPENSION OF HIS DRIVING PRIVILEGES. COOK WAS INFORMED AND ISSUED THE ARIZONA TEMPORARY DRIVING PERMIT. AFTER COOK WAS SERVED THE SUSPENSION AND ISSUED ALL APPLICABLE PAPERWORK, HE STATED, "IT'S FINE, MY WIFE WORKS AT THE MVD".

SUSPECT DISPOSITION:

AT APPROXIMATELY 0317 HOURS, COOK WAS RELEASED TO HIS WIFE, DIANA COOK, A RESPONSIBLE PARTY.

(SEE ATTACHED INDEPENDENT TEST ADVISORY / RELEASE OF ARRESTED PERSON REPORT)

VEHICLE DISPOSITION:

AT APPROXIMATELY 0049 HOURS, COOK'S VEHICLE WAS TOWED BY FIRST CLASS AUTOMOTIVE TRANSPORT. THE VEHICLE WAS TOWED TO 19643 E. WARNER RD, MESA, AZ 85212.

(SEE ATTACHED AZDPS VEHICLE REMOVAL REPORT)



ARIZONA DEPARTMENT OF PUBLIC SAFETY

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CONTINUATION / SUPPLEMENTAL REPORT

Supplemental Number S11740418354001	
DR Number 2018-063872	
Date 12/19/2018	Time

Original Form Type
TOW SHEETOriginal Form Number
T11740418354001Form Type
SUPPLEMENTAL

ADDITIONAL INFORMATION

ON 12-19-18, AT APPROXIMATELY 2346 HOURS, I STOPPED WITH TROOPER C. WILLIAMS, #10477, IN THE AREA OF EASTBOUND STATE ROUTE 202 AND VAL VISTA AS HE WAS ON A TRAFFIC STOP. WHEN I ARRIVED ON SCENE I OBSERVED THAT TROOPER WILLIAMS WAS OUTSIDE OF HIS PATROL VEHICLE WITH THE DRIVER OF THE OTHER VEHICLE WHO WAS IDENTIFIED AS DAVID COOK (DATE OF BIRTH: [REDACTED]), AND I OBSERVED NO ONE ELSE IN THE AREA. AS I APPROACHED COOK APPROACHED ME AND ATTEMPTED TO SHAKE MY HAND AND TALK TO ME I REFERRED HIM TO TROOPER WILLIAMS AS IT WAS HIS INVESTIGATION. AS TROOPER WILLIAMS WAS PUTTING ON HIS JACKET, COOK ASKED WILLIAMS WHY HE WAS PUTTING ON HIS JACKET. I THEN OFFERED TO LET HIM TO GO PUT ON HIS JACKET I OBSERVED HIM WALK UP TO HIS VEHICLE WITH A SLIGHT STAGGER. HE ATTEMPTED TO OPEN THE FRONT PASSENGER DOOR WHICH WAS LOCKED, THEN THE BACK PASSENGER SIDE DOOR WHICH WAS ALSO LOCKED, ALSO HE ATTEMPTED TO UNLOCK THE DRIVER SIDE REAR PASSENGER WHICH WAS LOCKED. LASTLY HE WAS ABLE TO GAIN ACCESS TO HIS VEHICLE THROUGH THE DRIVER DOOR AND GRABBED A VEST. WE BROUGHT HIM BACK TO TROOPER WILLIAMS PATROL VEHICLE WHERE I OBSERVED WILLIAMS ATTEMPT TO CONDUCT HORIZONTAL GAZE NYSTAGMUS AND I OBSERVED THAT HIS EYES WERE BLOODSHOT AND WATERY. EVERY TIME TROOPER WILLIAMS ATTEMPTED TO START THE WALK AND TURN COOK WOULD TALK AND GO ON A TANGENT OVER THREE TIMES. WHENEVER I WAS WITHIN FEW FEET TO YARDS I COULD SMELL A STRONG ODOR OF AN ALCOHOLIC BEVERAGE. TROOPER HOUCHESS, #7537, ARRIVED ON SCENE AND FINISHED ASSISTING TROOPER WILLIAMS. I CONDUCTED A DETAILED VEHICLE INVENTORY AND TOW SHEET ON THE VEHICLE AND LOCATED COOK'S WALLET WHICH I LATER DELIVERED TO COOK AT THE ARIZONA DEPARTMENT OF PUBLIC SAFETY KNUTSON STATION.

Officer Name D. WINDELS	Officer Badge 10347	Location Code 22190300	Supervisor Name C. COOPER	Supervisor Badge 05918	Investigative Officer Badge 10477
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DPS000005



ARIZONA DEPARTMENT OF PUBLIC SAFETY

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CONTINUATION / SUPPLEMENTAL REPORT

Supplemental Number

S10786818354001

DR Number

2018-063872

Original Form Type

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Original Form Number

Form Type

SUPPLEMENTAL

Date

12/19/2018

Time

23:23

ADDITIONAL INFORMATION

ON DECEMBER 19, 2018, AT APPROXIMATELY 2335 HOURS, TROOPER BRIAN HOUCHEMS, #7537, RESPONDED TO THE AREA OF EASTBOUND STATE ROUTE 202 AT APPROXIMATELY VAL VISTA DRIVE TO ASSIST TROOPER CHRISTIAN WILLIAMS, #10477, WITH A TRAFFIC STOP. TROOPER HOUCHEMS WAS NOTIFIED PRIOR TO ARRIVING ON SCENE THAT THE SUBJECT THAT HAD BEEN STOPPED, IDENTIFIED AS DAVID LEE COOK, DATE OF BIRTH MAY 15, 1968, BY HIS VALID ARIZONA COMMERCIAL DRIVER'S LICENSE, HAD IDENTIFIED HIMSELF AS A REPRESENTATIVE FOR THE ARIZONA HOUSE OF REPRESENTATIVES.

TROOPER HOUCHEMS ARRIVED ON SCENE AT APPROXIMATELY 2358 HOURS, WITH TROOPER GARRETT KUEHN, #10607, WHO ARRIVED AT THE SAME TIME. UPON INITIAL ARRIVAL, TROOPER HOUCHEMS OBSERVED A WHITE PICKUP TRUCK IN THE EASTBOUND STATE ROUTE 202 VAL VISTA ROAD ON-RAMP GORE POINT WITH TWO ARIZONA DEPARTMENT OF PUBLIC SAFETY (DPS) PATROL VEHICLES TO ITS REAR. AFTER EXITING HIS PATROL VEHICLE, TROOPER HOUCHEMS OBSERVED TROOPER WILLIAMS AND TROOPER DARIUS WINDELS, #10347, OUT WITH COOK. AT THE TIME IT APPEARED AS IF TROOPER WILLIAMS WAS ADMINISTERING STANDARDIZED FIELD SOBRIETY TESTS. TROOPER HOUCHEMS AND TROOPER KUEHN INITIALLY STAYED BACK BY THEIR ASSIGNED PATROL VEHICLE SO AS NOT TO CROWD THE INVESTIGATION.

AFTER A COUPLE OF MINUTES TROOPER HOUCHEMS MOVED FORWARD TOWARD THE INVESTIGATION AS IT APPEARED IT WAS DETERIORATING BASED ON NUMEROUS HAND MOTIONS BY COOK AND COOK RAISING HIS VOICE. TROOPER HOUCHEMS APPROACHED COOK ON HIS LEFT, INTRODUCED HIMSELF AND INFORMED COOK HE WAS THE ACTING SUPERVISOR FOR HIS SQUAD. COOK APPEARED TO CALM DOWN AND SHOOK HANDS WITH TROOPER HOUCHEMS. COOK BEGAN BY STATING HE TOLD TROOPER WILLIAMS HE DROPPED HIS CELL PHONE AND THAT WAS THE REASON FOR THE DRIVING. TROOPER HOUCHEMS CONTINUED TO TALK WITH COOK TO CALM HIM DOWN AND COOK BEGAN TO AGAIN REFERENCE TROOPER WILLIAMS HAVING A JACKET ON. HE FURTHER MADE A REFERENCE TO THERE BEING A DIFFERENCE BETWEEN AN OLDER MAN AND A 23-YEAR-OLD KID. WHILE INITIALLY SPEAKING WITH COOK, TROOPER HOUCHEMS DETECTED THE STRONG ODOR OF AN ALCOHOLIC BEVERAGE EMANATING FROM HIS PERSON, OBSERVED HIM TO HAVE BLOODSHOT AND WATERY EYES, AND ALSO OBSERVED COOK TO HAVE SLURRED SPEECH.

COOK EVENTUALLY AGREED TO CONTINUE TESTING AND TROOPER HOUCHEMS BEGAN TO EXPLAIN THE WALK AND TURN TEST TO COOK, AS IT WAS THE TEST TROOPER WILLIAMS HAD BEEN ATTEMPTING TO ADMINISTER AND WAS IMMEDIATELY INTERRUPTED BY COOK. COOK CONTINUALLY INTERRUPTED THE INSTRUCTION PHASE OF WALK AND TURN AND HAD TO CONTINUALLY BE ASKED TO LISTEN TO THE INSTRUCTIONS. COOK FINALLY LISTENED TO THE INSTRUCTIONS AND CAME OUT OF THE INSTRUCTED POSITION THREE TIMES. COOK ALSO ATTEMPTED TO BEGIN THE TEST ON THREE DIFFERENT OCCASIONS, INTERRUPTING TROOPER HOUCHEMS EACH TIME, WHO WAS ATTEMPTING TO DEMONSTRATE THE TEST. TROOPER HOUCHEMS WAS ABLE TO FINISH THE DEMONSTRATION AND COOK STATED HE UNDERSTOOD THE TEST. COOK MISSED TOUCHING HEEL TO TOE ON STEPS THREE, SIX AND NINE, AND STEPPED OFF LINE ON STEP SIX. AFTER THE FIRST SET OF NINE STEPS, COOK MADE AN IMPROPER TURN TO THE RIGHT AND STOPPED FOR SEVERAL SECONDS. COOK LOOKED AT TROOPER WILLIAMS, WHO WAS STANDING TO HIS RIGHT AND SALUTED HIM WITH HIS RIGHT HAND. AFTER SALUTING TROOPER WILLIAMS, COOK BEGAN HIS SECOND SET OF NINE STEPS. ON HIS SECOND SET OF NINE STEPS, COOK MISSED TOUCHING HEEL TO TOE ON STEPS ONE, TWO AND EIGHT, AND STEPPED OFF LINE ON STEPS THREE AND SIX. COOK RAISED HIS ARMS THROUGHOUT THE ENTIRE WALK AND TURN TEST. IN ALL, COOK DISPLAYED SEVEN OUT OF EIGHT POSSIBLE CLUES ON THE WALK AND TURN TEST.

AFTER COMPLETING THE WALK AND TURN TEST, TROOPER HOUCHEMS ASKED COOK IF HE HAD A LEG HE PREFERRED TO BALANCE ON AND COOK PROCEEDED TO POINT AT THE RIGHT SIDE OF HIS FOREHEAD AND STATED HE HAD BEEN HIT BY A PIPE WRENCH TWO WEEKS PRIOR. TROOPER HOUCHEMS ASKED COOK IF THE INJURY EFFECTED HIS BALANCE AND HE STATED IT DID. TROOPER HOUCHEMS ASKED COOK IF HE HAD GONE TO THE DOCTOR FOR THE INJURY AND HE STATED HE DID NOT BECAUSE HE HAD, "A PLANE TO CATCH".

TROOPER HOUCHEMS ASKED COOK IF HE COULD LOOK AT HIS EYES AND COOK AGREED. TROOPER HOUCHEMS OFFERED TO HAVE COOK LEAN ON TROOPER WILLIAMS' PUSH BUMPER. COOK REFUSED AND STATED HE COULD STAND. WHEN ASKED, COOK STATED HE DID NOT HAVE CONTACTS IN HIS EYES AND DID NOT HAVE ANY RECENT HEAD INJURIES OTHER THAN THE ABOVE-MENTIONED INJURY. COOK DISPLAYED DIFFICULTY IN FOLLOWING INSTRUCTIONS AND CONTINUALLY INTERRUPTED TROOPER HOUCHEMS WHILE HE WAS EXPLAINING THE HORIZONTAL GAZE NYSTAGMUS TEST. WHILE PERFORMING THE TEST, COOK HAD TO BE TOLD CONTINUALLY TO FOLLOW THE PEN AND WOULD NOT HOLD HIS EYES AT MAXIMUM DEVIATION ON EITHER SIDE. TROOPER HOUCHEMS WAS ABLE TO OBSERVE LACK OF SMOOTH PURSUIT IN BOTH THE LEFT AND RIGHT EYES AND ONSET OF NYSTAGMUS PRIOR TO 45 DEGREES IN BOTH THE LEFT AND RIGHT EYES. VERTICAL NYSTAGMUS WAS NOT OBSERVED.

(SEE ATTACHED ALCOHOL INFLUENCE REPORT)

TROOPER HOUCHEMS INFORMED COOK HE WAS UNDER ARREST FOR DRIVING UNDER THE INFLUENCE AT APPROXIMATELY 0020 HOURS AND TOOK HIM INTO CUSTODY. TROOPER WILLIAMS SUBSEQUENTLY TOOK CUSTODY OF COOK AND SECURED HIM IN THE REAR OF HIS ASSIGNED PATROL VEHICLE.

TROOPER KUEHN DID NOT PERFORM ANY TASKS WHILE ON SCENE AND CLEARED AT APPROXIMATELY 0029 HOURS.

Officer Name	Officer Badge	Location Code	Supervisor Name	Supervisor Badge	Investigative Officer Badge
B. HOUCHEMS	07537	22130400	C. WARREN	07197	10477

DPS000006



ARIZONA DEPARTMENT OF PUBLIC SAFETY

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CONTINUATION / SUPPLEMENTAL REPORT

Supplemental Number S10786818354001	
DR Number 2018-063872	
Date 12/19/2018	Time 23:23

Original Form Type
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Original Form Number

Form Type

SUPPLEMENTAL**ADDITIONAL INFORMATION**

AFTER COOK HAD BEEN TAKEN INTO CUSTODY, TROOPER HOUCHEMS FOLLOWED TROOPER WILLIAMS TO THE DPS DOUG KNUTSON STATION FOR FURTHER PROCESSING. ONCE AT KS, COOK WAS ALLOWED THE OPPORTUNITY TO CONTACT LEGAL COUNSEL. AFTER A PERIOD OF 18 MINUTES, COOK STATED HE WAS FINISHED. TROOPER HOUCHEMS ASSISTED TROOPER WILLIAMS WITH ADMINISTERING THE ADMIN PER SE/IMPLIED CONSENT AFFIDAVIT, INTOXILYZER 8000 TESTING AND RELEASING COOK TO A RESPONSIBLE PARTY.

(SEE TROOPER WILLIAMS OFFENSE REPORT)

TROOPER HOUCHEMS IS A CERTIFIED HORIZONTAL GAZE NYSTAGMUS TECHNICIAN AND A CERTIFIED DRUG RECOGNITION EXPERT.

ATTACHMENT 01Description
ALCOHOL INFLUENCE REPORT

Officer Name B. HOUCHEMS	Officer Badge 07537	Location Code 22130400	Supervisor Name C. WARREN	Supervisor Badge 07197	Investigative Officer Badge 10477
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DPS000007



ARIZONA DEPARTMENT OF PUBLIC SAFETY ALCOHOL INFLUENCE REPORT

OR NUMBER

2018-063872

SUBJECT NAME (LAST)

COOL

(FIRST)

DAVISO

(MIDDLE)

LEE

DATE ADMINISTERED

12/27/2018

TIME (24 HR)

0008

When I tell you:

- Feet together
- Arms at sides
- Remove glasses/ note if wearing contacts
- Keep your head still
- Follow stimulus with your eyes

2. Do you understand?

When I tell you:

- Place your right foot in front of left foot (imaginary heel straight line)
- Keep hands at sides
- Don't move

When I tell you:

- Take 9 heel/toe steps
- Turn as shown
- Take 9 heel/toe steps
- Watch your feet, count steps out loud, keep arms at side, do not stop walking until you complete the test.

a. Do you understand?

When I tell you:

- Feet together
- Arms at sides
- Don't move
- Lift foot six inches and keep parallel with floor
- Watch elevated foot
- Keep legs and arms straight
- Count 1001, 1002, etc. until told to stop.

h. Do you understand? (Time for 30 seconds)

When I tell you:

- Feet together
- Arms at sides
- Don't move
- Tip your head back
- Keep eyes closed
- Recite the alphabet from A to Z / Count backwards from 18 to 5 (or other)

g. Do you understand?

When I tell you:

- Feet together
- Arms at sides
- Point index finger
- Tip head back
- Keep eyes closed
- When I tell you either right or left, touch tip of that finger to tip of nose then return to ready position

i. Do you understand?

When I tell you:

- Feet together
- Arms at sides
- Touch proper finger to thumb in correct order (pinky first)
- Count out loud
- 1-2-3-4-3-2-1

f. Do you understand?

OBSERVATION

- ☐ Left eye does not follow smoothly
- ☐ Distinct and sustained nystagmus at minimum deviation of the left eye
- ☐ Left eye onset before 45 degrees
- ☐ Right eye does not follow smoothly
- ☐ Distinct and sustained nystagmus at minimum deviation of the right eye
- ☐ Right eye onset before 45 degrees
- ☐ Vertical nystagmus

B. HOUCHEMS
TROOPER NAME
7537
BADGE

TYPE OF SURFACE USED FOR FIELD TEST

- ☐ Dirt ☐ Gravel
- ☐ Level ☐ Uneven
- ☐ Cement ☐ Asphalt
- ☐ Dry ☐ Street
- ☐ Wet ☐ Sidewalk
- ☐ Other (Specify)



SHOES / TYPE

Boots



SWAY

Back to front Side to side

- ☐ 1-2' ☐ 1-2'
- ☐ 3-4' ☐ 3-4'
- ☐ 5+ ☐ 5+

OBSERVATION

- ☐ Required additional instruction during testing
- ☐ Opened eyes during testing
- ☐ Failed to keep heels together throughout
- ☐ Failed to keep head back
- ☐ Swayed front to back or side to side (record below)
- ☐ Error in alphabet (record below)
- ☐ Error in backward count (record below)



SWAY

Back to front Side to side

- ☐ 1-2' ☐ 1-2'
- ☐ 3-4' ☐ 3-4'
- ☐ 5+ ☐ 5+

Alphabet

A B C D E F G H I J K L M N
O P Q R S T U V W X Y Z

COUNT

OBSERVATION

- ☐ Required additional instruction during testing
- ☐ Opened eyes during testing
- ☐ Failed to keep heels together throughout
- ☐ Failed to keep head back
- ☐ Used hand other than the one designated
- ☐ Missed nose with fingertip (record miss locations below)
- ☐ Touched nose with other than fingertip
- ☐ Swayed front to back or side to side



Most Points Touched

OBSERVATION

- ☐ Required additional instruction during testing
- ☐ Used hand other than the one designated
- ☐ Missed touching all the proper fingers (record below)
- ☐ Counted incorrectly (record below)

WEATHER CONDITIONS
☐ Clear ☐ Windy
☐ Rain ☐ Other

TRAFFIC CONDITIONS

- ☐ Light
- ☐ Moderate
- ☐ Heavy

11L 11611L * LL611C121

I'M NOT SAYING
THATHET W HEAD
- APP625 BUL.

INVESTIGATION

WERE YOU OPERATING THE VEHICLE?

☐ No ☐ Yes

DOES YOUR VEHICLE HAVE ANY MECHANICAL DEFECTS?

☐ No ☐ Yes Explain:

WHERE WERE YOU COMING FROM?

WHERE WERE YOU GOING TO?

DID YOU FEEL ANY EFFECTS OF ALCOHOL / DRUGS? (LENGTH OF TIME YOU WERE DRIVING BEFORE STOPPED / HAD ACCIDENT)

☐ No ☐ Yes

WHERE HAD YOU BEEN DRINKING / USING DRUGS?

TYPE OF ALCOHOL / DRUGS USED?

AMOUNT?

TIME YOU STARTED?

TIME YOU STOPPED?

HAVE YOU HAD ANYTHING TO DRINK IN THE HOUR BEFORE STOPPED / HAD ACCIDENT?

☐ No ☐ Yes: How Much?

ARE YOU UNDER THE CARE OF A PHYSICIAN?

☐ No ☐ Yes

ANY ALLERGIES?

PHYSICAL DISABILITIES?

DIABETIC?

WHEN DID YOU LAST EAT?

CURRENT WEIGHT?

WHAT TIME IS IT?

WHAT DATE IS IT?

ARE YOU SICK / INJURED?

MEDICATIONS OR DRUGS USED IN THE LAST 24 HOURS?

☐ No ☐ Yes - Why:

HOURS SLEEP LAST NIGHT?

ARE YOU TIRED?

☐ No ☐ Yes

IF FELONY: DID YOUR DRIVER LICENSE EVER BE SUSPENDED / REVOKED?

☐ No ☐ Yes - How did you know?

Type:

INTOXICATING ODOR?

☐ Moderate ☐ Light ☒ Strong ☐ None

ON A SCALE OF 1 TO 10, WITH 1 BEING COMPLETELY SOBER, AND 10 BEING FALLING DOWN DRUNK, WHAT WOULD YOU RATE YOURSELF?

INTERVIEW START TIME

INTERVIEW STOP TIME

TROOPER NAME

B. HOUCHEMS

BADGE NUMBER

7537

COPIES TO: Department Records (original), Prosecutor, Working Copy

DPS 802-04085 Rev. 12-2016



ARIZONA DEPARTMENT OF PUBLIC SAFETY

ARIZONA TRAFFIC TICKET AND COMPLAINT

Report Number

2018-063872

Complaint

910884418354001

Interpreter Required?

☐ Spanish ☐ Other

Language

☐ COLLISION☐ COMMERCIAL☐ FATALITY☐ HAZ MAT☐ SERIOUS INJURY☐ 10 PASSENGER

DEFENDANT	Driver's License Number	State	Class	Military	Endorsements	Restrictions
	D03264036	AZ	A	<input type="checkbox"/> Yes	TP	M
	Name: First	Middle	Last			
	DAVID	LEE	COOK			
Residential Address						
[REDACTED]						
City						
[REDACTED]						
State						
[REDACTED]						
Zip Code						
[REDACTED]						
Telephone (Cell Phone)						
<input type="checkbox"/>						
Gender	Eyes	Hair	Height	Weight	Origin	DOB
MALE	BRO	BLK	600	240	W	[REDACTED]
Email Address						
[REDACTED]						
Business Address						
[REDACTED]						
City						
[REDACTED]						
State						
[REDACTED]						
Zip Code						
[REDACTED]						
Business Phone						
[REDACTED]						
VEHICLE	Year	Color	Make	Model	Style	License Plate
	2017	WHI	FORD	F22	34PU	CK89257
	State	Expir. Date	Vehicle Identification Number (VIN)			
	AZ	10/15/2019	1FT7W2BT4HEE71857			
Registered Owner						
DAVID L COOK						
Address						
[REDACTED]						
City						
[REDACTED]						
State						
[REDACTED]						
Zip Code						
[REDACTED]						

THE UNDERSIGNED CERTIFIES THAT:

ON	Date	Time	SPEED:	Approx	Posted	R&P	Speed Measurement Device	Equipment Number	Direction Of Travel
	12/19/2018	23:23		65	65	0	OTHER	NONE	EAST
AT	On-Highway	Highway	Milepost	Location				Precinct	County
	YES	SR202	17					0721	MARICOPA
									STATE OF ARIZONA

THE DEFENDANT COMMITTED THE FOLLOWING:

A	Section	Statute	Violation	<input type="checkbox"/> Domestic Violence Case
	28-1381A1	ARS	DUI-LIQUOR/DRUGS/VAPORS/COMBO	
Offense Classification				
<input type="checkbox"/> Civil Traffic <input checked="" type="checkbox"/> Criminal Traffic <input type="checkbox"/> Criminal <input type="checkbox"/> Petty Offense				
B	Section	Statute	Violation	<input type="checkbox"/> Domestic Violence Case
	28-1381A2	ARS	DUI W/BAC OF .08 OR MORE	
Offense Classification				
<input type="checkbox"/> Civil Traffic <input checked="" type="checkbox"/> Criminal Traffic <input type="checkbox"/> Criminal <input type="checkbox"/> Petty Offense				
C	Section	Statute	Violation	<input type="checkbox"/> Domestic Violence Case
	28-1382A1	ARS	EXTREME DUI-BAC .15 TO .19	
Offense Classification				
<input type="checkbox"/> Civil Traffic <input checked="" type="checkbox"/> Criminal Traffic <input type="checkbox"/> Criminal <input type="checkbox"/> Petty Offense				
D	Section	Statute	Violation	<input type="checkbox"/> Domestic Violence Case
Offense Classification				
<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Criminal <input type="checkbox"/> Petty Offense				
E	Section	Statute	Violation	<input type="checkbox"/> Domestic Violence Case
Offense Classification				
<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Criminal Traffic <input type="checkbox"/> Criminal <input type="checkbox"/> Petty Offense				

You Must Appear At:	Court	Court No.	AT OR BEFORE THE DATE AND TIME INDICATED:	Date	Time
	NORTH MESA JC	0721		01/03/2019	1:00 PM
	Court Phone No.	Business Address	City, State, Zip Code		
	(480) 926-9731	1837 S. MESA DR., STE. #B103	MESA, AZ 85210		

CRIMINAL: ☒ Without admitting guilt, I promise to appear as directed herein.CIVIL: ☐ Without admitting responsibility, I acknowledge receipt of this complaint.☐ VICTIM?☐ VICTIM NOTIFIED?☐ FINGERPRINTED?

I certify upon reasonable grounds, I believe the person named above committed the acts described and I have served a copy of this complaint upon the defendant.

C. Williams

10477

22130400

COMPLAINANT

BADGE NO

LOCATION CODE

You may visit www.azdps.gov/courts for additional court or traffic school information.

IMPORTANT NOTICE TO DEFENDANT

This is a true copy of the offense described in the complaint that will be filed in the designated court or hearing office. The offense for which you have been cited is a Civil Traffic violation, a Criminal offense, a Criminal Traffic offense, or a Petty offense. To determine which notice(s) applies to you, look at the box(es) checked under "the defendant committed the following".

If you are required to pay fines, penalties, fees or other financial obligations as a result of this citation and you are unable to pay, bring this to the attention of court staff or the judge as payment over time or other alternatives may be available. Do not ignore the citation and the responsibility to pay as this may result in additional penalties and costs to you. For more information contact the court or an attorney, or visit the following website (add the appropriate website).

By providing your cell phone number you are granting permission to receive texts and other communication regarding court dates, pending payments and other relevant information about your case. Normal text and SMS rates may apply. Please contact the court in which your case is filed should you desire to opt out of this service.

CIVIL TRAFFIC: If the Civil Traffic box is checked, notice is hereby given that if you fail to appear as directed in this complaint, a default judgment will be entered against you, a civil sanction will be imposed, and your driver license or nonresident operating privilege will be suspended. Your driver license or nonresident operating privilege will remain suspended until the civil sanction is paid and you satisfy Motor Vehicle Division requirements (A.R.S. 28-1557[B](2)).

CRIMINAL OR PETTY OFFENSE: If the Criminal or Petty Offense box is checked, notice is hereby given that if you fail to appear in court as directed in this complaint, a warrant will be issued for your arrest (A.R.S. 13-3903.F).

CRIMINAL TRAFFIC: If the Criminal Traffic box is checked, notice is hereby given that if you fail to appear as directed in this complaint on a criminal charge, a warrant will be issued for your arrest and your driver license or nonresident operating privilege will be suspended (A.R.S. 28-1557[B](1)).

(The court, law enforcement agency or public body responsible for issuing the Arizona Traffic Ticket and Complaint may include any additional information considered necessary to the defendant regarding appearances, pleas, and the payment of fines or civil sanctions.)



Motor Vehicle Division

Mail Drop 533M
Motor Vehicle Division
PO Box 2100
Phoenix, AZ 85001-2100

ADMIN PER SE / IMPLIED CONSENT AFFIDAVIT

LE or DR Case Number **2018-063872**

Complaint Numbers Issued **910884418354001**

Charges: ☒ 28-1381 ☒ 28-1382 ☐ 28-1383 ☐ 4-244.34 ☐ 13-1201 ☐ 13-1204
☐ Other Title 13, Chapter 11 charge:

☐ Yes ☒ No While transporting hazardous material? (ARS 28-101)
☐ Yes ☒ No While operating a commercial motor vehicle?
☐ Yes ☒ No While operating a 16+ passenger motor vehicle?

First Name DAVID	Middle Name LEE	Last Name COOK	Suffix	Date of Birth
DL/ID Card Available? <input checked="" type="checkbox"/>	Driver License Number D03264036	State AZ	Class A	Sex M
Address		Weight 240	Height 6-00	Eyes BRO
		City	Hair BLK	Endorsements P,T
		State	Restrictions M	Zip Code

On (date) **12/20/2018** at (time) **00:20** at (location) **EAST BOUND STATE ROUTE 202 MILE POST 19**

- ☐ I had probable cause to believe that the person named caused or was cited for an accident resulting in death or serious physical injury while driving a motor vehicle.
☒ I had reasonable grounds to believe the person named was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor and/or drugs, and I placed the named person under arrest therefor.

Among the facts leading to that belief were:

SUBJECT STOPPED FOR UNSAFE LANE USE. ODOR OF ALCOHOLIC BEVERAGE COMING FROM VEHICLE. SUBJECT UNCOOPERATIVE FROM INITIAL CONTACT. SUBJECT INITIALLY REFUSED FIELD SOBRIETY TESTING AND LATER CONSENTED. SUBJECT DISPLAYED DIFFICULTY FOLLOWING INSTRUCTIONS AND DISPLAYED 4/6 ON HGN AND 7/8 ON WALK AND TURN

- ☒ The admonitions on the second page of the original copy were read to the person. Officer Initials: **C. W.**
☐ The admonitions were not read because the person was either unconscious or incapable of refusal.

- ☒ The person submitted to: ☒ breath ☐ blood (alcohol) ☐ blood (drug) tests.

BAC test results: **Positive** BAC **0.158 0.152** Drug test results: Drugs:

- ☐ The person refused to take or did not complete the tests in the following manner:

- ☐ Yes ☒ No Did the person cause serious physical injury or death as defined in ARS 13-105 during the incident?

OFFICER CERTIFICATION		I certify that the above is true and correct. I request that any hearing be held in Phoenix, MARICOPA County	
Law Enforcement Officer Name C. WILLIAMS	Badge Number 10477	Officer Signature C. WILLIAMS (10477)	Officer Station KNUTSON STATION
Law Enforcement Agency AZDPS	ORI Number 0799	Test Operator Name WILLIAMS	Test Operator Badge 10477
Agency Address 2610 S. 16TH ST.		City PHOENIX	State AZ
		Zip Code 85034	
ADDITIONAL OFFICERS			
Badge Number 7537	Officer Name HOUCHENS	Badge Number	Officer Name
		Badge Number	Officer Name

SURRENDER OF ARIZONA DRIVER LICENSE

Pursuant to ARS 28-1321 and 28-1385, the law enforcement officer must require the surrender of all Arizona driver licenses or permits in the person's possession.

☐ Lost ☐ Destroyed ☐ Nonresident ☒ Other **SURRENDERED**

ORDER OF SUSPENSION One box must be checked.	Suspension Served? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date Served 12/20/2018	Time Served 03:05	Please see reverse side to request a Summary Review or Hearing.
<input type="checkbox"/> Pursuant to ARS 28-1321, your Arizona driver license/permit or nonresident driving privilege is suspended effective 15 days from Date Served. The suspension is for 12 months, or 2 years if there is a prior implied consent refusal, within the last 84 months, on your record. This order is final unless a hearing is requested online or in writing and received within 15 days from Date Served. This action is a result of your failure to successfully complete or refusal to submit to tests to determine alcohol concentration or drug content. This suspension will not end until all reinstatement requirements are met including completion of alcohol or drug screening.				
<input checked="" type="checkbox"/> Pursuant to ARS 28-1385, your Arizona driver license/permit or nonresident driving privilege is suspended for not less than 90 consecutive days effective 15 days from Date Served. If a review of your driver record indicates that you have completed alcohol or drug screening and are eligible for a 60-day restricted driving permit, one will automatically be mailed to your address of record within 45 days from Date Served. This order is final unless a summary review or hearing is requested online or in writing and received within 15 days from Date Served. This suspension is a result of tests to which you submitted. This suspension will not end until all reinstatement requirements are met including completion of alcohol or drug screening.				

TEMPORARY DRIVER PERMIT

This entire form will serve as a temporary driver permit that will expire 15 days from the Date Served. However, if you request a summary review or hearing, then this permit will remain valid until the summary review or hearing decision has been made. If your Arizona driver license/permit is currently suspended or revoked, this permit does not authorize you to operate a motor vehicle.

Sex M	Weight 240	Height 6-00	Eyes BRO	Hair BLK	Class A	Endorsements P,T	Restrictions M
Permit Not Issued Because						Licensee Served SERVED ON: 12/20/2018 AT: 03:05	

YOUR RIGHTS
DPS000010

If your suspension is due to your failure to successfully complete or refusal to take a test (ARS 28-1321), you have the right to request a hearing (see Definitions below). A request for a hearing will not be accepted if you have not surrendered your Arizona driver license or permit to the Motor Vehicle Division (MVD) or law enforcement. To request a hearing, please complete the Summary Review or Hearing Request section below. Your request must be received by the Arizona Department of Transportation within 15 days from the Date Served shown on the front of this form. Arizona law may allow you to obtain a restricted driving permit during the suspension.

If your suspension is due to ARS 28-1385, you have the right to request a summary review or a hearing (see Definitions below). A request for a summary review or a hearing will not be accepted if you have not surrendered your Arizona driver license or permit to the Motor Vehicle Division (MVD) or law enforcement. If you request a summary review, your request must be accompanied by a written explanation of why you feel MVD should not suspend your driver license or permit. To request a summary review or a hearing, please complete the Summary Review or Hearing Request section below. Your request must be received by the Arizona Department of Transportation within 15 days from the Date Served shown on the front of this form.

RESTRICTED DRIVING PERMIT: You do not need to request a hearing in order to obtain a restricted driving permit. A restricted permit will be automatically mailed to your address on record, if you qualify after a review of your driving record.

DEFINITIONS

SUMMARY REVIEW: A summary review is conducted by an administrative law judge at the Executive Hearing Office and involves an examination of all written documents only, to determine if the Order of Suspension should be upheld or canceled. The decision is based upon examination of your written explanation stating why MVD should not suspend your driving privilege and all reports submitted by the law enforcement officer. (Personal hardship cannot be considered as a reason your license should not be suspended.)

HEARING: A hearing is conducted by the Executive Hearing Office and is a scheduled meeting which may be attended by you and/or your attorney, the law enforcement officer and witnesses (if any). The scope of the hearing depends upon the cause for the suspension. If you were suspended pursuant to ARS 28-1321, the scope of the hearing will include only those issues specific in ARS 28-1321. If you were suspended pursuant to ARS 28-1385, the scope of the hearing will include only those issues specific in ARS 28-1385.

If you have questions, please call:

Phoenix 602-255-0072, Tucson 520-629-9808, elsewhere in Arizona 800-251-5866
(Hearing/Speech Impaired - TDD systems only: Phoenix 602-712-3222, elsewhere 800-324-5425)

or write to:

MAIL DROP 533M
MOTOR VEHICLE DIVISION
PO BOX 2100
PHOENIX, AZ 85001-2100

Please ensure that your mailing address is current with the Motor Vehicle Division.

ALCOHOL AND DRUG SCREENING FACILITIES

To find an alcohol or drug screening facility, visit the Motor Vehicle Division website at www.azdot.gov, or call the numbers above.

This Copy Is Your
TEMPORARY DRIVER LICENSE

Keep This Copy



ARIZONA DEPARTMENT OF PUBLIC SAFETY
VEHICLE REMOVAL REPORT

Tow Sheet Number
T11740418354001

DR Number
2018-063872

Date Removed
12/20/2018

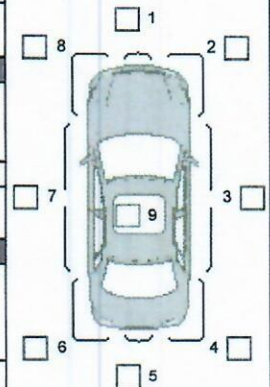
VEHICLE DESCRIPTION						LOCATION VEHICLE REMOVED			
Year 2017	Color WHI	Make FORD	Model F25	License Plate CK89257	State AZ	Expiration Date 10/15/2019	Highway SR202	Milepost 19.1	Street / Private Property VAL VISTA
Vehicle Identification Number (VIN) 1FT7W2BT4HEE71857					Odometer		City / Town MESA		County MARICOPA
Driver Name DAVID LEE COOK		Address				City	State	ZipCode	Phone
Owner Name DAVID LEE COOK		Address				City	State	ZipCode	Phone
Lien Holder		Address				City	State	ZipCode	Phone

REASON FOR REMOVAL/SECURING ON SCENE (Check all that apply)	VEHICLE REMOVAL NOTICE INFORMATION	CONDITION OF:
<input type="checkbox"/> Vehicle Removal Notice Affixed	Date First Contact With Vehicle _____ Time _____ Officer ID from Notice _____	D = Damaged M = Missing P = Present
<input type="checkbox"/> Collision <input checked="" type="checkbox"/> Arrest - MISD	TOW COMPANY INFORMATION	Right Front Tire <input type="checkbox"/> P
<input type="checkbox"/> Abandoned <input type="checkbox"/> Arrest - Felony	<input checked="" type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Heavy	Right Rear Tire <input type="checkbox"/> P
<input checked="" type="checkbox"/> 30-Day Impound <input type="checkbox"/> Hazardous	Time Tow Requested 00:21 Time Tow Arrived 00:49	Left Front Tire <input type="checkbox"/> P
<input type="checkbox"/> Seizure <input type="checkbox"/> Evidence	Tow Company Name 1 - FIRST CLASS AUTOMOTIVE TRANSPORT Phone (480) 644-8181	Left Rear Tire <input type="checkbox"/> P
<input type="checkbox"/> >2 Hours Metro Fwy <input type="checkbox"/> Stolen Vehicle	Storage Address 19643 E. WARNER RD, MESA, AZ 85212	Spare Tire <input type="checkbox"/> U
<input type="checkbox"/> >4 Hours Rural Fwy <input type="checkbox"/> Owner's Request		Stereo <input type="checkbox"/> P
<input type="checkbox"/> >48 Hrs Other Fwy <input type="checkbox"/> Other		Seats <input type="checkbox"/> P
		Interior <input type="checkbox"/> P

VEHICLE REMOVAL AUTHORIZATION	VEHICLE DAMAGE
As owner / person in charge of the above described vehicle, I request that the vehicle be:	
<input type="checkbox"/> Removed to: _____	
<input type="checkbox"/> Vehicle Secured Temporarily at the Scene	
<input type="checkbox"/> Released to First Name _____ Last Name _____ Driver's License Number _____ DOB _____	
Address _____ City _____ State _____ ZipCode _____ Phone _____	

IMPOUND INFORMATION
<input checked="" type="checkbox"/> Impounded For violation of A.R.S. 28-3511 your vehicle is impounded for thirty (30) days. Any parties having interest in this vehicle may, within ten (10) days receipt of this notice, request a hearing to determine the validity of the impoundment.
To request a hearing, contact the Arizona Department of Public Safety at:
Address 2222 W. ENCANTO City PHOENIX State AZ ZipCode 85009 Phone (602) 223-2957

SIGNATURE
SERVED
Time _____



REMARKS / PERSONAL PROPERTY LEFT IN VEHICLE
<input checked="" type="checkbox"/> Ignition Key <input type="checkbox"/> Registration <input type="checkbox"/> Driver Remained with Vehicle
TWO RED SOLO CUPS, WINE BOTTLE OPENER, TAPE MEASURE, 2 POWER PACKS, 7 KEYS, 2 KNIVES, JOKER ENERGY DRINK, POSSIBLE WRAPPED METAL SHIELD STYLE BADGE, DEFEND FREEDOM PIN, 6 GLOVES, BOX CUTTER, PLIERS, ZIP TIES, MEDICINE: INDOMETHOCIN, 3 KOOZIES, TWO IPHONE CHARGING WIRES, SALTED PLUMS, LIGHTER, HAT, METAL CUP, TRANSACTION TRACKER, MAIL, DISTRICT 8 NAME PLATE, PEANUTS, GEL, CIGAR CUTTER, APPROXIMATELY \$4 AND CHANGE, 6 PINK TABLETS, LOTION, VASELINE INTENSIVE CARE, CLINIQUE FESTIVE FAVORITES, CLINIQUE GREEN BOX, 2 CLINIQUE GREAT SKIN HOME AND AWAY, CLINIQUE ALL ABOUT SHADOW QUAD, ARIZONA STATE REPRESENTATIVE MAGNET, BICYCLE LIGHT, CIGARS, ROCKY PATEL, CATTLE FIRST RUBBER POUCH, ARIZONA DEPARTMENT OF AGRICULTURE PAPERS, BALL HITCH, GOLD BOND SP

Officer Name D. WINDELS	Badge No. 10347	Investigative Officer Badge 1477	Location Code 22130400
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IN THE NORTH MESA JUSTICE COURT
STATE OF ARIZONA, COUNTY OF MARICOPA
RELEASE QUESTIONNAIRE

Information to be supplied by prosecutor or law enforcement officer

DEFENDANT'S NAME **COOK, DAVID, LEE**
ALIAS(ES)

DOB

DR NO. **2018-063872****A. GENERAL INFORMATION**

1. Charge

Charge	Class
28-1381A1 DUI-LIQUOR/DRUGS/VAPORS/COMBO	C1M
28-1381A2 DUI W/BAC OF .08 OR MORE	C1M
28-1382A1 EXTREME DUI-BAC .15 TO .19	C1M

2. Offense Location:

HIGHWAY/INTERSTATE: **SR202 MILEPOST: 17**Date: **12/19/2018**Time: **23:23** Hrs

3. Arrest Location:

EASTBOUND STATE ROUTE 202, MILE POST 19

Date: **12/20/2018**Time: **00:20** Hrs

4. Names of co-defendant(s), if any:

DOB:

B. GENERAL INFORMATION

1. ☐ Defendant presently on probation, parole or any other form of release involving other charges or convictions?

3. Is there any indication that the defendant is:

- ☐ Alcoholic ☐ Addict
☐ Mentally Disturbed ☐ Physically Ill

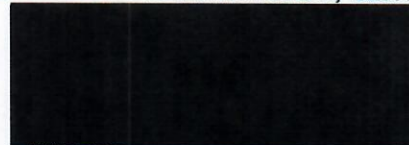
4. ☒ Defendant is currently employed

With whom: **ARIZONA HOUSE OF REPRESENTATIVES**

2. List any prior:
Arrests?

How long: **UNK**

5. Where does the defendant currently reside?



With whom:
WIFE

Convictions?

How long:

Years

Months

Days

6. What facts indicate the defendant will flee if released?

Failure to Appear (FTA)?

7. What facts does the state have to oppose an unsecured release?

Protective Orders?